

4571
1 BILL NO. R-79-08-39

2 RESOLUTION NO. R- 55-79

3 A RESOLUTION of the Common Council
4 setting forth the policy of the City
5 in regard to the annexation of
Concordia Gardens.

6 WHEREAS, the annexation of territory to the City is a legislative
function; and

7 WHEREAS, the Common Council is called upon in the preparation of
8 the City budget to provide for the furnishing of municipal services to the
9 entire City including newly annexed areas, and

10 WHEREAS, the Common Council desires that newly annexed areas receive
11 the full measure of municipal services; and

12 WHEREAS, the Common Council has before it an ordinance (Bill No.
13 X-77-06-27) for the annexation of the Concordia Gardens annexation area, more
14 specifically described, to-wit:

15 Commencing at the intersection of the east right-of-way
16 line of Red Haw Drive and the west right-of-way line of
No. Clinton Street (Leo Road); thence northeast along
17 the west right-of-way line of N. Clinton Street (Leo
Road) to a line projected west from the north property
18 line of Concordia Senior College; thence east along said
projected line and continuing along north property line
19 of Concordia Senior College and a line projected east to
the normal centerline of the St. Joseph River, this line
20 being the present Corporate Limits; thence in a north-
erly direction following the meanderings of the center-
21 line of the St. Joseph River to its intersection with a
projection east of the north line of Concordia Gardens
22 Addition; thence west along said projection and the
north line of Concordia Gardens Addition to the east
23 right-of-way line of Leo Road; thence southerly along
the east right-of-way line of Leo Road to the south right-
24 of-way line of Auburn Road; thence northwesterly along
south right-of-way of Auburn Road to east right-of-way
25 line of Interstate Highway 69; thence southwesterly along
east right-of-way line of Interstate Highway 69 to its
26 intersection with the present Corporate Limits, a point
approximately 1937.5 feet north of the south line of the
27 NE $\frac{1}{4}$ of Section 13, T 31 N, R 12 E; thence east along
said line to the east right-of-way line of Red Haw Drive;
thence south along east right-of-way line of Red Haw Drive
28 to the intersection of the west right-of-way line of N.
Clinton Street (Leo Road) the point of beginning. An area
29 of approximately 255 acres more or less.

30 NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY
31 OF FORT WAYNE, INDIANA:

32

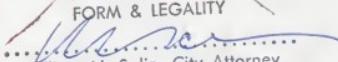
1 SECTION 1. That in the case of the Concordia Gardens annexation
2 it is the policy of the City of Fort Wayne to follow the provisions of Common
3 Council Resolution No. with regard to the provision of non-capital
4 and capital services to the annexation area.

5 SECTION 2. That it is the policy of the City to follow the annexa-
6 tion fiscal plan for said described territory as prepared by the Department
7 of Community Development and Planning.

8 SECTION 3. That said plan sets forth cost estimates of the services
9 to be provided, the methods of financing these services, the plan for the
10 organization and extension of these services, delineates the non-capital
11 improvement services to be provided within one (1) year of annexation, the
12 capital improvement services to be provided within three (3) years of annexa-
13 tion, and the plan for hiring employees of other governmental entities whose
14 jobs will be eliminated by this annexation.

15 SECTION 4. Said plan is hereby approved and adopted by the Common
16 Council and shall be in force upon the effective date of the Concordia Gardens
17 annexation ordinance.

18 
19 _____
20 Councilman

21
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29 APPROVED AS TO
30 FORM & LEGALITY
31 
32 William N. Salin, City Attorney

Read the first time in full and on motion by _____, seconded by _____

J. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Anneptation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19_____, at _____ o'clock M., E.S.T.

DATE: 8-14-79

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by _____, seconded by J. Schmidt, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>1</u>	_____	_____	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>X</u>	_____	_____	_____	_____
<u>HUNTER</u>	<u>X</u>	_____	_____	_____	_____
<u>MOSES</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	<u>X</u>	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 9-25-79

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE

(RESOLUTION) No. Q-55-79 on the 25th day of September, 1979.
ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfred C. Mayo Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of September, 1979, at the hour of 11:30 o'clock A M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 28th day of September, 1979,
at the hour of 4:30 o'clock B M., E.S.T.

Robert E. Armstrong
MAYOR

[Handwritten Signature]
R-79-08-39
Bill No. _____

REPORT OF THE COMMITTEE ON ANNEXATION

We, your Committee on Annexation to whom was referred an Ordinance
A RESOLUTION of the Common Council setting forth the policy
of the City in regard to the annexation of Concordia Gardens
C

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance No PASS.

JAMES S. STIER - CHAIRMAN

WILLIAM T. HINGA - VICE CHAIRMAN

VIVIAN G. SCHMIDT

JOHN NUCKOLS

SAMUEL J. TALARICO

J. M.

Vivian G. Schmidt

Samuel J. Talarico

9-25-79
CONCURRED IN
DATE CHARLES W. WESTERMAN, CITY CLERK

RESOLUTION NO.

A RESOLUTION of the Common Council
setting forth the policy of the City
in regard to the annexation of Con-
cordia Gardens

WHEREAS, the annexation of territory to the City is a legislative function; and

WHEREAS, the Common Council is called upon in the preparation of the City budget to provide for the furnishing of municipal services to the entire City including newly annexed areas, and

WHEREAS, the Common Council desires that newly annexed areas receive the full measure of municipal services; and

WHEREAS, the Common Council has before it an ordinance (Bill No. X-77-06-27) for the annexation of the Concordia Gardens annexation area, more specifically described, to-wit:

Commencing at the intersection of the east right-of-way line of Red Haw Drive and the west right-of-way line of N. Clinton Street (Leo Road); thence northeast along the west right-of-way line of N. Clinton Street (Leo Road) to a line projected west from the north property line of Concordia Senior College; thence east along said projected line and continuing along north property line of Concordia Senior College and a line projected east to the normal centerline of the St. Joseph River, this line being the present Corporate Limits; thence in a north-easterly direction following the meanderings of the centerline of the St. Joseph River to its intersection with a projection east of the north line of Concordia Gardens Addition; thence west along said projection and the north line of Concordia Gardens Addition to the east right-of-way line of Leo Road; thence southerly along the east right-of-way line of Leo Road to the south right-of-way line of Auburn Road; thence northwesterly along south right-of-way of Auburn Road to east right-of-way line of Interstate Highway 69; thence southwesterly along east right-of-way line of Interstate Highway 69 to its intersection with the present Corporate Limits, a point approximately 1937.5 feet north of the south line of the NE $\frac{1}{4}$ of Section 13, T 31 N, R 12 E; thence east along said line to the east right-of-way line of Red Haw Drive; thence south along east right-of-way line of Red Haw Drive to the intersection of the west right-of-way line of N. Clinton Street (Leo Road) the point of beginning. An area of approximately 255 acres more or less.

BE IT THEREFORE RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That in the case of the Concordia Gardens annexation it is the policy of the City of Fort Wayne to follow the provisions of Common Council Resolution No. [redacted] with regard to the provision of non-capital and capital services to the annexation area.
2. That it is the policy of the City to follow the annexation fiscal plan for said described territory as prepared by the Department of Community Development and Planning.
3. That said plan sets forth cost estimates of the services to be provided, the methods of financing these services, the plan for the organization and extension of these services, delineates the non-capital improvement services to be provided within one (1) year of annexation, the capital improvement services to be provided within three (3) years of annexation, and the plan for hiring employees of other governmental entities whose jobs will be eliminated by this annexation.
4. Said plan is hereby approved and adopted by the Common Council and shall be in force upon the effective date of the Concordia Gardens annexation ordinance.

Q-75-08-39

TITLE OF ORDINANCE CONCORDIA GARDENS ANNEXATION RESOLUTION

DEPARTMENT REQUESTING ORDINANCE COMMUNITY DEVELOPMENT AND PLANNING

SYNOPSIS OF ORDINANCE Resolution confirms that the City has developed a definite policy for providing services to Concordia Gardens. It also clearly links the proposed General Annexation Resolution with the annexation fiscal plan and the annexation ordinance for Concordia Gardens. This seems to be required by Indiana annexation law, I.C. 18-5-10-25, as recently revised.

EFFECT OF PASSAGE A definite policy is established for providing services to Concordia Gardens and the City is more assured of acting consistently with Indiana annexation law. (I.C. 18-5-10-25)

EFFECT OF NON-PASSAGE

The City could pass an annexation ordinance for Concordia Gardens that is not consistent with Indiana annexation law (I.C. 18-5-10-25).

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

To be explained by Concordia Gardens annexation Fiscal plan.

ASSIGNED TO COMMITTEE (J.N.) Annexation